

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE SENATE

SENATE BILL NO. 1059

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO APPROPRIATION OF FUNDS TO THE IDAHO TRANSPORTATION DEPARTMENT'S AERONAUTICS PROGRAM; AMENDING SECTION 21-211, IDAHO CODE, TO AUTHORIZE APPROPRIATION OF MONEYS IN THE STATE AERONAUTICS FUND FOR THE PURPOSE OF DEFRAYING STATE AIR FLIGHT PROGRAM COSTS; AMENDING SECTION 40-707, IDAHO CODE, TO REVISE AN ARCHAIC TERM USED TO IDENTIFY THE IDAHO TRANSPORTATION BOARD AND TO AUTHORIZE APPROPRIATION OF MONEYS IN THE STATE HIGHWAY ACCOUNT FOR THE PURPOSE OF DEFRAYING STATE AIR FLIGHT PROGRAM COSTS; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 21-211, Idaho Code, be, and the same is hereby amended to read as follows:

21-211. PROCEEDS OF LICENSES AND FINES -- STATE AERONAUTICS FUND. All moneys collected for the licensing of aircraft and airmen, all fines and penalties paid under the provisions of laws relating to or regulating the operation, registration or licensing of aircraft or pilots, air safety or air flight not otherwise appropriated and such other funds as may be paid into the state aeronautics fund shall be paid to the state treasurer, and shall be placed by him in the state aeronautics fund, which is hereby created, and all of said state aeronautics fund is hereby appropriated for the purpose of furthering the administration, development and enforcement of laws relating to aviation, for defraying state air flight program costs, and for defraying administrative expenses of the Idaho transportation department, including per diem compensation of the Idaho transportation board, and the salary of the director of the department. Interest earned on the investment of idle moneys in the state aeronautics fund shall be paid to the state aeronautics fund.

SECTION 2. That Section 40-707, Idaho Code, be, and the same is hereby amended to read as follows:

40-707. APPROPRIATION OF MONEYS IN STATE HIGHWAY ACCOUNT. (1) From federal funds within the state highway account, there are hereby continuously appropriated first such amounts as, from time to time, shall be certified by the Idaho housing and finance association to the state controller, state treasurer and the board as necessary for payment of principal, interest and other amounts required for transportation bonds or notes of the Idaho housing and finance association in accordance with chapter 62, title 67, Idaho Code, which amounts shall be transferred to the GARVEE debt service fund established in section 40-718, Idaho Code.

(2) The board may, but is not obligated to, use any nonfederal funds in the state highway account to pay match as required for receipt of federal

1 funds used to pay the bonds or notes as described in subsection (1) of this
2 section. Such match may be transferred to the GARVEE debt service fund es-
3 tablished in section 40-718, Idaho Code.

4 (3) One-half of one percent (.5%) of the moneys in the state highway ac-
5 count may be utilized to encourage the use of recycled materials including,
6 but not limited to, recycled glass, reclaimed asphalt, asphalt containing
7 recycled plastic, recycled rubber tires and paper in highway construction
8 and maintenance projects. All other moneys at any time in the state high-
9 way account, except those as are otherwise required by law to be placed in
10 the state highway redemption account, are hereby appropriated for the pur-
11 pose of defraying the expenses, debts and costs incurred in carrying out the
12 powers and duties of the highway Idaho transportation board as provided by
13 law, and for defraying administrative expenses of the department, includ-
14 ing salaries of the board, the salary of the director, and salaries and wages
15 of employees of the department and board and expenses for traveling. Com-
16 munication supplies, equipment, fixed charges and all other necessary ex-
17 penses of the department, including the aeronautics air flight program and
18 the board, not otherwise provided for and all claims against the state high-
19 way account shall be examined by the department and certified to the state
20 controller, who shall, upon approval of the board of examiners, draw his war-
21 rant against the state highway account for all bills and claims allowed by
22 the board.

23 SECTION 3. An emergency existing therefor, which emergency is hereby
24 declared to exist, this act shall be in full force and effect on and after its
25 passage and approval.